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July 9, 2002

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Ex Parte

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW Portals II Building  
Washington, DC 20544

Re: *The Wireless Telecommunications Bureau Request for Comment on Wireless Local Number Portability Forbearance Petition Filed by Verizon Wireless.* WT Docket No. 01-184

Dear Ms. Dortch:

On September 21, 2001 the New Hampshire Public Utilities Commission filed comments opposed to granting any aspect of the Verizon Wireless petition filed in the above-captioned proceeding, as anticompetitive and inhibiting number conservation efforts.

The New Hampshire Public Utilities Commission would like to underscore the importance of wireless LNP to the New Hampshire area code, 603. Area code 603 is rapidly approaching exhaust. New Hampshire implemented thousand-block number pooling in May 2001 pursuant to delegated authority. Landline provider participation in pooling reduced the number of code assignments dramatically. We then had reason to believe that exhaust had been pushed out many months, if not years.

Since then, the payment arrangements between wireless and wireline carriers have been changed, such that wireless carriers now demand NXX codes in dozens of exchanges in the state, so as to offer toll-free statewide service and not incur certain charges from landline transporters. This has caused wireless carriers to demand greater numbers of codes. Currently, almost all code requests are from wireless carriers (28 out of 31 within the last six months). The demand for codes has held steady at an average of three codes per month, even though there is no growth in the number of wireless carriers in the state.

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Ex Parte Opposing Wireless LNP Forebearance  
New Hampshire Public Utilities Commission  
July 9, 2002  
Page 2

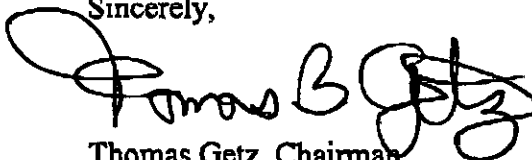
At the current average of three codes per month, New Hampshire's area code is scheduled to exhaust the first quarter of 2004, primarily because of code requests from wireless carriers. Expeditious implementation of wireless LNP under the Commission's existing orders would forestall that exhaust. Note that pooling alone will not avail, because the differences in underlying calling areas mean that for all practical purposes any given wireless carrier could only "pool" with itself, a meaningless concept.

We also urge the Commission to consider the impact of forbearance on the competitiveness of wireless service. Customers would like to take their landline number with them when they move to wireless for their basic service, as many are doing. Absent portability, customers are for practical purposes locked into their current providers.

Wireless carriers have had numerous opportunities to bring themselves into compliance with the Commission's directives. We respectfully request that the FCC deny Verizon's petition and implement wireless LNP with penalties for any delay. We urge the Commission to act before inaction results in the approval of the forbearance petition as filed.

If you have any questions about this filing, please do not hesitate to contact Jody O'Marra of our Staff, at 603-271-2431 or email@puc.state.nh.us.

Sincerely,



Thomas Getz, Chairman  
New Hampshire Public Utilities Commission

cc.: Hon. Judd Gregg, United States Senate  
Hon. Bob Smith, United States Senate  
Hon. Charles Bass, United States House of Representatives  
Hon. John Sununu, United States House of Representatives  
Hon. Jeanne Shaheen, Governor  
Hon. John Thomas, Chair, Telecommunications Oversight Committee  
Hon. Jeb Bradley, Chair, Joint Science and Technology Committee

**Federal Communications Commission**

**The FCC Acknowledges Receipt of Comments From ...**  
**Dominion Video Satellite, Inc.**  
**...and Thank You for Your Comments**

**Your Confirmation Number is: '200279975324 '**

**Date Received: Jul 9 2002**

**Docket: 01-348**

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W. Kenneth Ferree

July 9, 2002

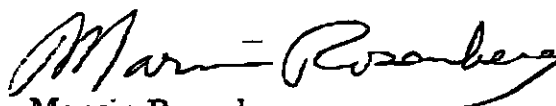
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Very truly yours,



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Counsel for Dominion Video  
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cc: Jim Bird  
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Barbara Esbin  
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**MARVIN ROSENBERG**  
202-457-7147  
mrosenbc@hklaw.com

W. Kenneth Ferree  
Chief, Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20054

Re: Consolidated Application of EchoStar Communications Corporation, Hughes Electronics Corporation, and General Motors Corporation for Authority to Transfer of Control, CS Docket No. 01-348

Dear Mr. Ferree:

On April 29, 2002, Dominion Video Satellite, Inc. ("Dominion") held a meeting at the Federal Communications Commission with members of the Commission's task force who are considering the above referenced application. At the meeting, Dominion addressed the fact that, pursuant to its Direct Broadcast Service Transponder Lease, Channel Use and Programming Agreement with EchoStar Communications Corporation, Dominion's subscribers utilize the identical receive equipment as is used by EchoStar's DISH subscribers. While the conditional access system is common, subscribers are separately authorized for each of the services.

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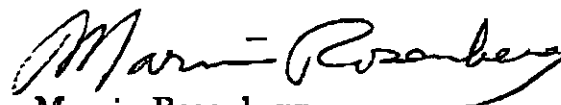
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July 9, 2002

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**Chief, Media Bureau**  
**Federal Communications Commission**  
**445 12<sup>th</sup> Street, SW**  
**Washington, DC 20054**

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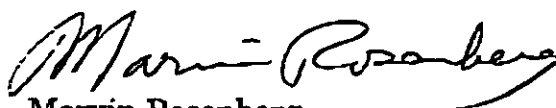
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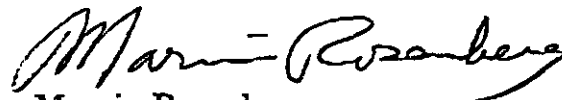
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July 9, 2002

**MARVIN ROSENBERG**  
202-457-7147  
mrosenbe@hkllaw.com

W. Kenneth Ferree  
Chief, Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20054

Re: Consolidated Application of EchoStar Communications  
Corporation, Hughes Electronics Corporation, and General Motors  
Corporation for Authority to Transfer of Control, CS Docket  
No. 01-348

Dear Mr. Ferree:

On April 29, 2002, Dominion Video Satellite, Inc. ("Dominion") held a meeting at the Federal Communications Commission with members of the Commission's task force who are considering the above referenced application. At the meeting, Dominion addressed the fact that, pursuant to its Direct Broadcast Service Transponder Lease, Channel Use and Programming Agreement with EchoStar Communications Corporation, Dominion's subscribers utilize the identical receive equipment as is used by EchoStar's DISH subscribers. While the conditional access system is common, subscribers are separately authorized for each of the services.

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**FACSIMILE****TO:****Royce Dickens Sherlock****FCC****(202) 418-0232**

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**FROM:****Marvin Rosenberg****(202) 457-7147****4**

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**MESSAGE:**

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**The FCC Acknowledges Receipt of Comments From ...  
Dominion Video Satellite, Inc.  
...and Thank You for Your Comments**

**Your Confirmation Number is: '200279975324 '**

**Date Received: Jul 9 2002**

**Docket: 01-348**

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APPLICATION	Microsoft Word	35329

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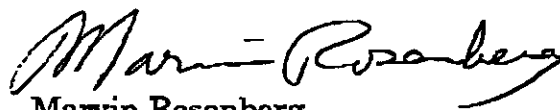
W. Kenneth Ferree  
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**FACSIMILE****TO:**

JoAnn Lucanik  
NAME

FCC  
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FAX NUMBER

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(TELEPHONE NUMBER)

**FROM:**

Marvin Rosenberg  
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**Date Received: Jul 9 2002**

**Docket: 01-348**

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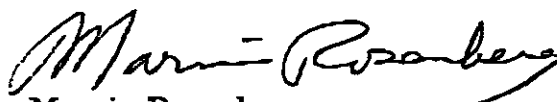
W. Kenneth Ferree  
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Barbara Esbin  
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**FACSIMILE****TO:**

Barbara Esbin

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**...and Thank You for Your Comments**

**Your Confirmation Number is: '200279975324 '**

**Date Received: Jul 9 2002**

**Docket: 01-348**

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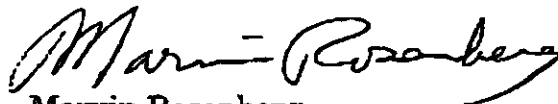
W. Kenneth Ferree  
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**FROM:**

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(202) 457-7147

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W. Kenneth Ferree

July 9, 2002

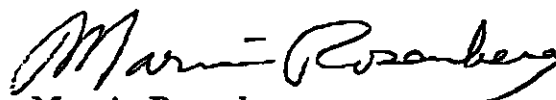
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July 9, 2002

**MARVIN ROSENBERG**  
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W. Kenneth Ferree  
Chief, Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20054

Re: Consolidated Application of EchoStar Communications  
Corporation, Hughes Electronics Corporation, and General Motors  
Corporation-for Authority to Transfer of Control, CS Docket  
No. 01-348

Dear Mr. Ferree:

On April 29, 2002, Dominion Video Satellite, Inc. ("Dominion") held a meeting at the Federal Communications Commission with members of the Commission's task force who are considering the above referenced application. At the meeting, Dominion addressed the fact that, pursuant to its Direct Broadcast Service Transponder Lease, Channel Use and Programming Agreement with EchoStar Communications Corporation, Dominion's subscribers utilize the identical receive equipment as is used by EchoStar's DISH subscribers. While the conditional access system is common, subscribers are separately authorized for each of the services.

The Commission recognizes that DIRECTV has a Distribution Agreement with the National Rural Telecommunications Cooperative ("NRTC") by which the NRTC is a distributor of DIRECTV's equipment and programming service. Dominion notes the ex-parte letter filed by the parties to the above referenced application on June 28, 2002 addressing their telephone conversation with Commission staff members in which they responded to a request for additional

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**FACSIMILE****TO:**

Jim Bird

FCC

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**MESSAGE:**